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3:00cv687 OR Natural Desert, et al v. Babbitt, et al

U.S. District Court
U.S. District Court for the District of Oregon (Portland)

CIVIL DOCKET FOR CASE #: 00-CV-687

OR Natural Desert, et al v. Babbitt, et al

Filed: 05/22/00

Assigned to: Honorable Ancer L Haggerty

Demand: \$0,000

Nature of Suit: 890

Lead Docket: None

Jurisdiction: US Defendant

Dkt# in other court: None

Cause: 05:551 Administrative Procedure Act

OREGON NATURAL DESERT
ASSOCIATION

Plaintiff

Stephanie M Parent
503-768-6736
[COR LD NTC]
Pacific Environmental Advocacy
Center
10015 SW Terwilliger Blvd
Portland, OR 97219-7799
(503) 768-6707
FTS 768-6671

Jack K Sterne, Jr
[COR]
106 F Street
Anchorage, AK 99501
907-276-4244
FTS 276-7110

IDAHO WATERSHEDS PROJECT
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

Jack K Sterne, Jr
(See above)
[COR]

CENTER FOR BIOLOGICAL
DIVERSITY
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

Jack K Sterne, Jr
(See above)
[COR]

COMMITTEE FOR IDAHO'S HIGH
DESERT
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

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Jack K Sterne, Jr
(See above)
[COR]

FOREST GUARDIANS
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

Jack K Sterne, Jr
(See above)
[COR]

HELLS CANYON PRESERVATION
COUNCIL
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

Jack K Sterne, Jr
(See above)
[COR]

OREGON NATURAL RESOURCES
COUNCIL
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

Jack K Sterne, Jr
(See above)
[COR]

AMERICAN LANDS ALLIANCE
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

Jack K Sterne, Jr
(See above)
[COR]

OREGON WILDLIFE FEDERATION
Plaintiff

Stephanie M Parent
(See above)
[COR LD NTC]

Ruth Ann Storey
202-305-0493
[COR LD NTC]
US Dept of Justice
Environment & Natural Resources
Division
601 Pennsylvania Avenue, NW
PO Box 663

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Washington DC, 20044-0663
(202) 305-0448
FTS 305-0506

Jack K Sterne, Jr
(See above)
[COR]

OREGON CATTLEMEN'S ASSOCIATION
Intervenor

Scott W Horngren
[COR LD NTC]
Haglund Kirtley Kelley &
Horngren LLP
101 SW Main
Suite 1800
Portland, OR 97204
503-225-0777
FTS 225-1257

Karen J Budd-Falen
[COR]
Budd-Falen Law Offices
623 West 20th Street
P O Box 346
Cheyenne, WY 82003
307-632-5105

PUBLIC LANDS COUNCIL
Intervenor

Scott W Horngren
(See above)
[COR LD NTC]

Karen J Budd-Falen
(See above)
[COR]

v.

BRUCE BABBITT, Secretary of
the Interior
Defendant

SECRETARY OF THE DEPARTMENT OF
THE INTERIOR
Defendant

Ruth Ann Storey
202-305-0493
[COR LD NTC]
US Dept of Justice
Environment & Natural Resources
Division
601 Pennsylvania Avenue, NW
PO Box 663
Washington DC, 20044-0663

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3:00cv687 OR Natural Desert, et al v. Babbitt, et al

(202) 305-0448
FTS 305-0506

BUREAU OF LAND MANAGEMENT,
Agency of the US Department of
the Interior
Defendant

Ruth Ann Storey
(See above)
[COR LD NTC]

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- 5/22/00 1 COMPLAINT (Cause Code: 05:0551) (Receipt # 430462) summons issued to Janet Reno, Bruce Babbitt & US Attorney (tely)
- 5/22/00 2 CERTIFICATE OF SERVICE of complaint [1-1] by Plaintiffs (tely)
- 5/22/00 3 DISCOVERY ORDER AND ORDER REQUIRING JOINT STATUS REPORT discovery due 9/19/00 Joint status report due 9/19/00 pretrial order due 10/19/00 (tely)
- 6/8/00 4 MOTION by Plaintiffs TO WAIVE SPECIAL ADMISSIONS FEE FOR PRO HAC VICE OF JACK K STERNE (tely)
- 6/8/00 5 MOTION by Plaintiff FOR ATTORNEY JACK K STERNE TO APPEAR PRO HAC VICE (submitted as application) (tely)
- 6/8/00 6 CERTIFICATE OF SERVICE of MOTION FOR ATTORNEY JACK K STERNE TO APPEAR PRO HAC VICE [5-1], MOTION TO WAIVE SPECIAL ADMISSIONS FEE FOR PRO HAC VICE OF JACK K STERNE [4-1] by Plaintiffs (tely)
- 6/8/00 7 AMENDED COMPLAINT [1-1] by Plaintiffs (tely)
[Edit date 10/18/00]
- 6/22/00 8 RETURN OF SERVICE EXECUTED SERVICE BY MAIL upon Defendants Bruce Babbitt, Dept of Interior, BLM thru US Attorney on 5/23/00 (tely)
- 6/22/00 9 RETURN OF SERVICE EXECUTED SERVICE BY MAIL upon Defendant Bruce Babbitt on 6/21/00 Federal defendant answer due 8/21/00 (tely)
- 6/22/00 10 RETURN OF SERVICE EXECUTED SERVICE BY MAIL upon Defendants Bruce Babbitt, Dept of Interior & BLM thru Janet Reno on 6/21/00 (tely)
- 7/18/00 11 APPLICATION FOR SPECIAL ADMISSION PRO HAC VICE by attorney JACK STERNE; Local Counsel: STEPHANIE PARENT representing Plaintiffs ; Fee paid, receipt # WAIVED; Approved 7/18/00 by Honorable Ancer L. Haggerty (counsel notified) (tely)
- 7/21/00 12 MOTION by Plaintiffs FOR LEAVE TO FILE 2ND AMENDED COMPLAINT (tely)
- 7/21/00 13 FIRST AMENDED COMPLAINT [7-1] filed by Plaintiffs (tely)
[Edit date 10/18/00]
- 7/26/00 14 ORDER by Honorable Ancer L. Haggerty GRANTING Plaintiff's MOTION FOR LEAVE TO FILE 2ND AMENDED COMPLAINT [12-1].

Defendants shall respond within 10 days after service of the amended pleading Signed 7/26/00 (counsel notified) (tely)

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| 7/28/00 | 15 | MOTION by Intervenors Oregon Cattlemen's Association & Public Lands Council TO INTERVENE (tely) |
| 7/28/00 | 16 | MEMORANDUM IN SUPPORT by OR Cattlemen's Asso, Public Lands Council of MOTION TO INTERVENE [15-1] (tely) |
| 7/28/00 | 17 | NOTICE of filing declarations & affidavits by facsimile of Obermiller, Campbell, O'Keefe & Hays filed by Intervenors (tely) |
| 8/1/00 | 18 | ORIGINAL AFFIDAVIT by Intervenor of Frederick W Obermiller in support of Oregon Cattlemen's Association & Public Lands Council proposed answer of proposed intervenors re: MOTION TO INTERVENE [15-1] (tely) |
| 8/4/00 | 19 | MOTION by Defendants TO EXTEND TIME TO ANSWER PLAINTIFF'S COMPLAINT TO 8/11/00 (tely) |
| 8/7/00 | 20 | ORDER by Honorable Ancer L. Haggerty GRANTING Federal Defendants MOTION TO EXTEND TIME TO ANSWER PLAINTIFF'S COMPLAINT TO 8/11/00 [19-1] Signed 8/7/00 (counsel notified) (tely) [Entry date 08/08/00] |
| 8/10/00 | 21 | MEMORANDUM by Plaintiff IN OPPOSITION to Intervenors' MOTION TO INTERVENE [15-1] Reply due 8/24/00 (tely) |
| 8/11/00 | 22 | ANSWER by Defendants Bruce Babbitt, Dept of Interior, BLM to 2nd amended complaint [13-1] (tely) |
| 8/11/00 | 23 | RESPONSE by Defendants to Intervenors MOTION TO INTERVENE [15-1] Reply due 8/25/00 (tely) |
| 8/23/00 | 24 | REPLY TO Plaintiffs' RESPONSE by Defendant Intervenors re MOTION TO INTERVENE [15-1] (tely) [Entry date 08/24/00] |
| 8/23/00 | 25 | SUBSTITUTION of Attorney Scott W Horngren replacing attorney Brad J Harper for Public Lands Council & OR Cattlemen's Asso (tely) [Entry date 08/24/00] |
| 9/19/00 | 26 | JOINT MOTION by Paties TO EXTEND DISCOVERY, JOINT STATUS REPORT DEADLINES (tely) |
| 9/21/00 | 27 | RECORD OF ORDER by Honorable Ancer L. Haggerty GRANTING joint MOTION TO EXTEND DISCOVERY, JOINT STATUS REPORT DEADLINES [26-1]. Discovery ddl set for 10/19/00 ;Joint Status Report set for 10/19/00 (counsel notified) Court Rptr none (tely) [Entry date 09/22/00] |

10/18/00 28 MOTION by Plaintiffs FOR LEAVE TO FILE 2ND AMENDED COMPLAINT (tely)

10/18/00 29 2ND AMENDED COMPLAINT [13-1] by Plaintiffs (tely)

10/19/00 30 JOINT STATUS REPORT filed by the Parties (tely)

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10/30/00 31 MOTION by Intervenor TO EXPEDITE REVIEW OF PROPOSED INTERVENORS MOTION FOR LEAVE TO INTERVENE (tely)

11/1/00 32 RECORD OF ORDER by Honorable Ander L. Haggerty Plaintiff shall file its motion for summary judgment 20 days after the Court enters its ruling on Plaintiff's motion to file 2nd Amended Complaint. Defendant shall have 20 days to file its response to Plaintiff's motion for summary judgment & a cross motion for summary judgment; Plaintiff shall have 20 days thereafter to file its reply to Plaintiff's motion for summary judgment & opposition to Defendants motion for summary judgment; Defendant shall have 14 days to file a reply. (counsel notified) Court Rptr none (tely) [Entry date 11/02/00]

11/3/00 33 ORDER by Honorable Ander L. Haggerty GRANTING Intervenors Oregon Cattlemen's Association & Public Lands Council's MOTION TO INTERVENE [15-1]. The Court deems Intervenors MOTION TO EXPEDITE REVIEW OF PROPOSED INTERVENORS MOTION FOR LEAVE TO INTERVENE [31-1] is Denied as MOOT Signed 11/3/00 (counsel notified) (tely) [Entry date 11/06/00]

11/3/00 34 RECORD OF ORDER by Honorable Ander L. Haggerty GRANTING Plaintiffs MOTION FOR LEAVE TO FILE 2ND AMENDED COMPLAINT [28-1]. Plaintiffs Motion for Summary Judgment shall be filed by 11/24/00; Response to dispositive motions due 12/15/00; Reply to response due 1/5/01 (counsel notified) Court Rptr none (tely) [Entry date 11/06/00]

11/6/00 35 ANSWER to complaint by Intervenors Oregon Cattlemen's Association & Public Lands Council [29-1] (tely)

11/6/00 36 RESPONSE by Plaintiffs to [15-1] Proposed Intervenor's MOTION TO INTERVENE (tely)

11/21/00 37 2nd AMENDED COMPLAINT [29-1] by Plaintiffs' (tely)

11/21/00 38 CERTIFICATE OF SERVICE of complaint [37-1] by Plaintiffs (tely)

11/24/00 39 MOTION by Plaintiffs FOR SUMMARY JUDGMENT (tely) [Entry date 11/27/00]

11/24/00 40 MEMORANDUM IN SUPPORT by Plaintiffs of MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

11/24/00 41 CONCISE STATEMENT OF MATERIAL FACTS by Plaintiffs in support of MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

11/24/00 42 DECLARATION by Plaintiffs of Stephanie M Parent re MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

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11/24/00 43 DECLARATION by Plaintiffs of Bill Marlett re MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

11/24/00 44 DECLARATION by Plaintiffs of Richard K Bailey re MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

11/24/00 45 DECLARATION by Plaintiffs of Doug Heiken re MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

11/24/00 46 DECLARATION by Plaintiffs of Mark N Salvo re MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

11/24/00 47 DECLARATION by Plaintiffs of Jonathan Marvel re MOTION FOR SUMMARY JUDGMENT [39-1] (tely) [Entry date 11/27/00]

11/24/00 48 CERTIFICATE OF SERVICE of declaration [47-1], declaration [46-1], declaration [45-1], declaration [44-1], declaration [43-1], declaration [42-1], statement [41-1], memorandum [40-1], MOTION FOR SUMMARY JUDGMENT [39-1] by Plaintiffs (tely) [Entry date 11/27/00]

12/4/00 49 AMENDED ANSWER by Defendants Bruce Babbitt, Dept of Interior, BLM [22-1] (tely)

12/4/00 50 SUBSTITUTION of Attorney Ruth Ann Storey replacing attorney Geoffrey Garver for BLM, Dept of Interior & for Bruce Babbitt (tely)

12/12/00 51 MOTION by Intervenor TO EXTEND TIME TO FILE RESPONSE TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT [39-1] (tely)

12/15/00 52 MOTION by Defendants TO EXTEND TIME TO 12/22/00 TO FILE RESPONSE TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [39-1] (tely)

12/15/00 53 MOTION by Intervenors FOR SUMMARY JUDGMENT (tely)

12/15/00 54 MEMORANDUM IN SUPPORT by Intervenors of MOTION FOR SUMMARY JUDGMENT [53-1] (tely)

12/15/00 54 MEMORANDUM by Intervenor IN OPPOSITION to Plaintiffs MOTION FOR SUMMARY JUDGMENT [39-1] Reply due 12/29/00 (tely)

12/15/00 55 CONCISE STATEMENT OF MATERIAL FACTS by Intervenor in

support of Intervenor's MOTION FOR SUMMARY JUDGMENT [53-1] & in response to Plaintiffs statement of facts regarding their MOTION FOR SUMMARY JUDGMENT [39-1] (tely)

12/15/00 56 CERTIFICATE OF SERVICE of statement [55-1], memorandum [54-1], memorandum [54-1], MOTION FOR SUMMARY JUDGMENT [53-1] by Intervenor (tely)

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12/15/00 57 RECORD OF ORDER by Honorable Ancer L. Haggerty GRANTING Defendants MOTION TO EXTEND TIME TO 12/22/00 TO FILE RESPONSE TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT [39-1] [51-1] (counsel notified) Court Rptr none (tely) [Entry date 12/18/00]

[END OF DOCKET: 3:00cv687]

